

**ADJOURNMENT**

On motion of Senator Brooks, and in accordance with S.C.R. 48, the Senate at 12:32 o'clock p.m. adjourned until 11:00 o'clock a.m. Tuesday, April 5, 1983.

**FORTY-FIFTH DAY**  
(Tuesday, April 5, 1983)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President Pro Tempore, Senator Jones.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Absent-excused: Washington.

A quorum was announced present.

The Reverend Dr. Freddie Dixon, Sr., Wesley United Methodist Church, Austin, offered the invocation as follows:

As Senators of the State of Texas, office workers and aids, we come to You our God and our Father because You are the same from generation to generation. Yet when we listen to You there is always something surprising, something startling in what You are saying to us. At times we are shaken. At times we are hurt. Yet we know we must still listen. And listening we learn that Your Word is always a living Word and that the work to which You call us is always a contemporary task. Amen. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 23, 1983, was dispensed with and the Journal was approved.

**LEAVE OF ABSENCE**

Senator Washington was granted leave of absence for today on account of important business on motion of Senator Brooks.

**CO-AUTHOR OF SENATE BILL 966**

On motion of Senator Whitmire and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 966.

**REPORTS OF STANDING COMMITTEES**

Senator Brooks submitted the following report for the Committee on Health and Human Resources:

S.B. 657  
S.B. 1064  
S.B. 495

Senator Harris submitted the following report for the Committee on Economic Development:

S.B. 807

**S.B. 928** (Amended)

**S.B. 718**

**S.B. 741**

**C.S.S.B. 440** (Read first time)

### **SENATE BILLS AND RESOLUTIONS ON FIRST READING**

On motion of Senator Brooks and by unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**S.B. 1289** by Parker Economic Development  
Relating to jurisdiction over and regulation of certain entities by the State Board of Insurance.

**S.B. 1290** by Mauzy Jurisprudence  
Relating to the date a decision of the Court of Criminal Appeals or of a court of appeals becomes final in a criminal case, the mailing or delivery of opinions by the clerks of those courts, the filing and notice of filing of a petition for review and the sending of the record in a case to the Court of Criminal Appeals.

**S.B. 1291** by Doggett Jurisprudence  
Relating to appointment of masters for certain courts in Travis County.

**S.C.R. 58** by Farabee State Affairs  
Directing the Department of Human Resources to arrange for an evaluation of the Child Support Enforcement Program to assess the effectiveness of the program during 1983 and 1984.

**S.R. 413** by Sarpalius Natural Resources  
Providing conditions under which a high level nuclear waste disposal site in Texas would be acceptable to the Texas Legislature.

### **HOUSE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions received from the House were read the first time and referred to the Committee indicated:

**H.B. 44**, To Committee on Jurisprudence.

**H.B. 131**, To Committee on Jurisprudence.

**H.B. 639**, To Committee on State Affairs.

**H.B. 642**, To Committee on Health and Human Resources.

**H.B. 730**, To Committee on State Affairs.

**H.C.R. 74**, To Committee on Administration.

**H.C.R. 66**, To Committee on Administration.

**H.C.R. 49**, To Committee on Administration.

**H.C.R. 16**, To Committee on Administration.

**H.C.R. 35**, To Committee on Health and Human Resources.

**H.C.R. 8**, To Committee on Natural Resources.

**H.C.R. 22**, To Committee on State Affairs.

### **MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas

March 30, 1983

**TO THE SENATE OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE DISTRICT JUDGE FOR THE 88TH JUDICIAL DISTRICT, HARDIN AND TYLER COUNTIES, UNTIL THE NEXT GENERAL ELECTION AND UNTIL HIS SUCCESSOR SHALL BE DULY QUALIFIED:

LEE ROGER RATLIFF

130 West Avenue H

Silsbee, Texas 77656

(Mr. Ratliff is replacing The Honorable Clyde E. Smith, Jr., of Kountze, Hardin County, Texas, who resigned.)

March 31, 1983

TO THE SENATE OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE A MEMBER OF THE TEXAS PUBLIC UTILITY COMMISSION:

For a term to expire September 1, 1985:

PHILIP F. RICKETTS

2003 Cypress Point East

Austin, Texas 78746

(Mr. Ricketts is replacing Dr. Henry Moak Rollins of Austin, Travis County, Texas, who resigned.)

April 5, 1983

TO THE SENATE OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A MEMBER OF THE EAST TEXAS STATE BOARD OF REGENTS:

For a term to expire February 15, 1989:

JAMES L. TOLER

1800 Country Club Circle

Garland, Texas

(Mr. Toler is replacing Thomas Brazelton Steely, of Paris, Lamar County, Texas, whose term expired.)

TO BE A MEMBER OF THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM:

For a term to expire January 10, 1989:

JESS THOMAS HAY

7236 Lupon Circle

Dallas, Texas 75225

(Mr. Hay is replacing Mr. John B. Connally of Houston, Harris County, Texas, whose appointment was returned to this Governor.)

Respectfully submitted,

/s/Mark White

Governor of Texas

#### MESSAGE FROM STATE BAR OF TEXAS

The following Message from the State Bar of Texas was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

March 30, 1983

Mrs. Betty King  
Secretary of the Senate of the  
State of Texas  
Capitol Station  
Austin, Texas 78711

Dear Mrs. King:

You are hereby advised that, as directed in Section 1-a of Article 5 of the Constitution of the State of Texas, the Board of Directors of the State Bar of Texas at a regular meeting held October 22-23, 1981, duly appointed the following qualified member of the State Bar of Texas as a member of the State Judicial Qualifications Commission:

Robert H. Parsley  
1100 Esperson Bldg.  
Houston, Texas 77002

We are submitting Mr. Parsley's appointment to you for the required action in securing formal confirmation of the appointment.

Sincerely,

/s/Edward O. Coultas

#### SENATE RULE 103 SUSPENDED

On motion of Senator Howard and by unanimous consent, Senate Rule 103 was suspended in order that the Subcommittee on Nominations might consider the following nominations at 9:00 o'clock a.m. tomorrow:

Lee Roger Ratliff, to be a District Judge for the 88th Judicial District.

James L. Toler, to be a Member of the East Texas State Board of Regents.

Jess Thomas Hay, to be a Member of the Board of Regents, University of Texas.

#### MESSAGE FROM THE HOUSE

House Chamber  
April 5, 1983

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**S.B. 136**, Relating to contingency reserves of mutual, level premium, legal reserve life insurance companies.

**S.B. 171**, Relating to working hours of patrolmen in certain cities.

**S.B. 209**, Relating to renaming the Arroyo Colorado Navigation District as the Port of Harlingen Authority.

**S.B. 434**, Relating to undivided mineral interests owned by nonresidents or unknown persons.

**S.B. 452**, Relating to the election and terms of office of directors of the Cibolo Creek Municipal Authority, in parts of Bexar, Comal, and Guadalupe counties.

**H.B. 68**, Relating to the assignment of workers' compensation benefits in occupational disease cases.

**H.B. 94**, Relating to the right of a possessory conservator of a child to the child's medical and educational records.

**H.B. 99**, Relating to the reduction of workers' compensation death benefits because of benefits paid for prior period of incapacity.

**H.B. 188**, Relating to the creation, administration, powers, duties, operation, expansion, and financing of the Wheeler County Municipal Water District.

**H.B. 218**, Relating to the compensation of the district judges in Cameron County.

**H.B. 333**, Relating to establishment of a juvenile board for the 110th Judicial District.

**H.B. 373**, Relating to the terms of court of certain district courts in Hidalgo County.

**H.B. 399**, Relating to the name and terms of office for directors of the Ground Water Conservation District No. Two, North of the Canadian River.

**H.B. 499**, Relating to the disposition of persons determined to be incompetent to stand trial.

**H.B. 600**, Relating to the sale of certain state-owned real property in Grayson County, Texas.

**H.B. 672**, Relating to the establishment and powers of a juvenile board in Upshur County; composition of the board; selection of chairman; meetings; compensation of members; designation of fiscal officer.

**H.B. 680**, Relating to the board of regents of East Texas State University.

**H.B. 797**, Relating to exemptions from licensing requirements for insurance adjusters.

**H.B. 853**, Relating to the rate of interest or time price differential charged in a manufactured home credit transaction.

**H.B. 957**, Relating to printing on the ballot and posting the names of candidates for the general election for state and county offices.

**H.B. 1199**, Relating to obstructions, barriers, and restraints on beaches and adjacent property.

**H.B. 1200**, Relating to a United States foreign-trade zone and subzones at or near the Customs Port of Entry of Corpus Christi.

**H.B. 1214**, Relating to transfer of accumulated contributions of certain members of the Employees Retirement System of Texas.

**H.B. 1231**, Relating to correcting patents.

**H.C.R. 43**, Granting Billy Howard permission to sue the State.

**H.C.R. 62**, Creating a special interim committee to study fire protection standards.

**H.C.R. 88**, Requesting President Ronald Reagan to request the Environmental Protection Agency to expedite the release of planned removal funding for the clean-up of the Fuhrmann Energy hazardous-waste site in Houston.

**H.B. 40**, A bill to be entitled An Act relating to injunctions of public nuisances; providing a penalty.

**H.B. 41**, A bill to be entitled An Act relating to injunctions of common nuisances.

**H.B. 102**, A bill to be entitled An Act relating to inspections of convalescent homes, nursing homes, and other related institutions.

**H.B. 225**, A bill to be entitled An Act relating to unannounced inspections of nursing and convalescent homes; providing a penalty.

**H.B. 374**, A bill to be entitled An Act relating to the management of property recovered in a suit by the next friend of an incapacitated person.

**H.B. 449**, A bill to be entitled An Act relating to the financial transactions of a corporation.

**H.B. 657**, A bill to be entitled An Act relating to the appointment of substitute municipal judges.

**H.B. 861**, A bill to be entitled An Act relating to the authority of the court to impose on a defendant a requirement that the defendant participate in a community-service project as a term of probation.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### SENATE RESOLUTION 414

Senator Parker offered the following resolution:

**S.R. 414**, Commending the Senior Legislative Interns for their service to the State.

The resolution was read and was adopted.

#### GUESTS PRESENTED

Senator Parker was recognized and presented a delegation of Senior Legislative Interns who were seated in the gallery.

#### MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas  
April 5, 1983

TO THE SENATE OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

TO BE A PUBLIC MEMBER OF THE STATE BOARD OF BARBER EXAMINERS:

For a term to expire January 31, 1987:

KEN K. GJEMRE

4811 Swiss Avenue

Dallas, Texas 75204

(Mr. Gjemre is replacing Mr. Tony Garrett, of Dallas, Dallas County, Texas, whose appointment was returned to this Governor.)

**TO BE A PUBLIC MEMBER OF THE STATE BOARD OF MORTICIANS:**

For a term to expire January 31, 1989:

**REVEREND WILLIAM THOMAS STEPHENSON**

10820 Carrisa Drive

Dallas, Texas 75218

(Reverend Stephenson is replacing Reverend Joe Walts, of Del Rio, Val Verde County, Texas, whose term expired.)

**TO BE JUDGE OF THE 329TH JUDICIAL DISTRICT, WHARTON COUNTY, UNTIL THE NEXT GENERAL ELECTION AND UNTIL HIS SUCCESSOR SHALL BE ELECTED AND DULY QUALIFIED:**

**THE HONORABLE DANIEL R. SKLAR**

1312 Kelvingway

Wharton, Texas 77488

(Judge Sklar is replacing Judge Lloyd G. Rust, Jr., of Wharton, Wharton County, Texas, who resigned.)

**TO BE MEMBERS OF THE TEXAS BOARD OF CORRECTIONS:**

For terms to expire February 15, 1989:

**THOMAS R. MCDADE**

311 Tamerlaine

Houston, Texas 77024

(Mr. McDade is replacing Mr. T. Louis Austin, Jr., of Dallas, Dallas County, Texas, whose term expired.)

**DERALYN R. DAVIS**

4528 Moorview

Fort Worth, Texas 76119

(Mrs. Davis is replacing Mr. T. L. Roach, Jr., of Amarillo, Potter County, Texas, whose term expired.)

**JOSEPH V. LAMANTIA**

601 South Louisiana

Weslaco, Texas 78596

(Mr. LaMantia is being reappointed.)

**TO BE A MEMBER OF THE TEXAS STATE BOARD OF PODIATRY EXAMINERS:**

For a term to expire July 10, 1985:

**DR. JOHN T. DONOHOO**

1 Camino Santa Maria

San Antonio, Texas 78284

(Dr. Donohoo is replacing Mr. Buck Wynne of Dallas, Dallas County, Texas, whose appointment was returned to this Governor.)

**TO BE A MEMBER OF THE TEXAS AMUSEMENT MACHINE COMMISSION:**

For a term to expire January 31, 1989:

**PERRY O. CHRISMAN**

1151 Plymouth Road

Dallas, Texas 75208

(Mr. Chrisman is replacing Mr. David L. Shaw, Sr., of Dallas, Dallas County, Texas, whose term expired.)

Respectfully submitted,

/s/Mark White

Governor of Texas

**COMMITTEE SUBSTITUTE SENATE BILL 985 ON SECOND READING**

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 985**, Relating to the time periods for filing sales and use taxes, the prepayment discount for paying sales and use taxes, and direct payment permits.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 985 ON THIRD READING**

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 985** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE SENATE BILL 988 ON SECOND READING**

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 988**, Relating to the due dates for certain taxes.

The bill was read second time.

Senator Glasgow offered the following amendment to the bill:

Amend SECTION 8, lines 22 and 23 to read as follows:

must remit a reasonable estimate of the tax liability for gas that has been produced and saved during the month of July. A reasonable estimate

Amend SECTION 9, line 14, by adding the word "delinquent" between the words "the" and "required."

Amend SECTION 10, line 4, by adding the word "delinquent" between the words "the" and "required."

The amendment was read and was adopted.

Senator Glasgow offered the following amendment to the bill:

Amend the Committee Substitute for **S.B. 988** by adding a new Section 11, after the present Section 10, and renumbering the sections which follow accordingly.

Section 11, Subchapter E of Chapter 182, Tax Code, Section 182.082, is amended to read as follows:

"Section 182.082. TAX PAYMENTS: DUE DATE. Except as provided by Sec. 182.083 of this Code, the taxes imposed by this chapter are due and payable to the Treasurer on the last[first] day of January, April, July, and October of each year."

The amendment was read and was adopted.

On motion on Senator Glasgow and by unanimous consent, the caption was amended to conform to the body of the bill as amended.



The bill as amended was passed to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 988 ON THIRD READING**

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 988 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

#### **COMMITTEE SUBSTITUTE SENATE BILL 370 ON SECOND READING**

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 370**, Relating to reports concerning veterans who may have been exposed to certain chemical defoliants or herbicides or other causative agents, to assistance provided to those veterans, and to the Agent Orange Advisory Committee.

The bill was read second time and was passed to engrossment.

#### **RECORD OF VOTE**

Senator Glasgow asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 370 ON THIRD READING**

Senator Williams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 370 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Glasgow.

Absent-excused: Washington.

The bill was read third time and was passed.

#### **RECORD OF VOTE**

Senator Glasgow asked to be recorded as voting "Nay" on the final passage of the bill.

#### **SENATE BILL 578 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 578**, Relating to the authority of the Board of Regents of The Texas A&M University System to dispose of Texas A&M University System property.

The bill was read second time and was passed to engrossment.

**SENATE BILL 578 ON THIRD READING**

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 578** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**SENATE BILL 739 ON SECOND READING**

On motion of Senator Sims and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 739**, Relating to the method of sale and bonus and royalty bids for oil and gas leases on Permanent University Fund lands by the Board of Lease of University Lands; amending Sections 66.64 and 66.65, Texas Education Code; and declaring an emergency.

The bill was read second time and was passed to engrossment.

**SENATE BILL 739 ON THIRD READING**

Senator Sims moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 739** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**SENATE BILL 1100 ON SECOND READING**

On motion of Senator Doggett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 1100**, Relating to the making of earmold impressions by audiologists.

The bill was read second time and was passed to engrossment.

**SENATE BILL 1100 ON THIRD READING**

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1100** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Montford.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

**SENATE BILL 458 ON SECOND READING**

On motion of Senator Lyon and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 458**, Relating to physical examinations of children in cases of reported child abuse.

The bill was read second time and was passed to engrossment.

**SENATE BILL 458 ON THIRD READING**

Senator Lyon moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 458** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**SENATE BILL 579 ON SECOND READING**

Senator Leedom asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

**S.B. 579**, Relating to the regulation and licensing of migrant labor housing facilities; authorizing certain fees; providing enforcement procedures and penalties; amending Chapter 788, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 5221e-1, Vernon's Texas Civil Statutes).

There was objection.

Senator Leedom then moved to suspend the regular order of business and take up **S.B. 579** for consideration at this time.

The motion prevailed by the following vote: Yeas 23, Nays 7.

Yeas: Blake, Brooks, Brown, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Mauzy, McFarland, Parker, Parmer, Santiesteban, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Caperton, Lyon, Montford, Sarpalius, Sharp, Sims, Traeger.

Absent-excused: Washington.

The bill was read second time and was passed to engrossment.

**RECORD OF VOTE**

Senator Sarpalius asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**SENATE BILL 579 ON THIRD READING**

Senator Leedom moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 579** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy,

McFarland, Parker, Parmer, Santiesteban, Sharp, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Montford, Sarpalius, Sims.

Absent-excused: Washington.

The bill was read third time and was passed.

#### **RECORD OF VOTE**

Senator Sarpalius asked to be recorded as voting "Nay" on the final passage of the bill.

#### **COMMITTEE SUBSTITUTE SENATE BILL 389 ON SECOND READING**

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 389**, Relating to civil service status of certain peace officers in cities having a population of 1,500,000 or more.

The bill was read second time and was passed to engrossment.

#### **RECORD OF VOTES**

Senators Brown and Henderson asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 389 ON THIRD READING**

Senator Whitmire moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 389** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Blake, Brooks, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Brown, Henderson.

Absent-excused: Washington.

The bill was read third time and was passed.

#### **RECORD OF VOTES**

Senators Brown and Henderson asked to be recorded as voting "Nay" on the final passage of the bill.

#### **SENATE BILL 763 ON SECOND READING**

Senator Parker asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

**S.B. 763**, Relating to contracting to provide for the transportation of public school students.

There was objection.

Senator Parker then moved to suspend the regular order of business and take up **S.B. 763** for consideration at this time.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Truan.

Absent-excused: Washington.

The bill was read second time and was passed to engrossment.

#### RECORD OF VOTE

Senator Truan asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

#### SENATE BILL 763 ON THIRD READING

Senator Parker moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 763 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Truan.

Absent-excused: Washington.

The bill was read third time and was passed.

#### RECORD OF VOTE

Senator Truan asked to be recorded as voting "Nay" on the final passage of the bill.

#### SENATE BILL 1190 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 1190**, Relating to required notice of intent to take default judgments against the State of Texas.

The bill was read second time and was passed to engrossment.

#### SENATE BILL 1190 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 1190 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

#### SENATE RESOLUTION 412

Senator Howard offered the following resolution:

**S.R. 412**, In memory of Quanah Price, distinguished citizen of Frankston, Texas.

BLAKE  
HOWARD

The resolution was read.

On motion of Senator Farabee and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Howard and by unanimous consent, the resolution was considered immediately.

#### **SENATE RULE 103 SUSPENDED**

On motion of Senator Traeger and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Intergovernmental Relations might consider **S.B. 781** today.

#### **WELCOME AND CONGRATULATORY RESOLUTIONS**

**H.C.R. 4** - (Doggett): Granting permission to the Texas 4-H to use the House and Senate chambers on July 19th, 20th, and 21st, 1983.

**H.C.R. 14** - (Doggett): Requesting the Governor to give greater consideration to the appointment of older citizens to state boards and commissions.

**S.R. 405** - By Williams: Commending the North Channel Area Chamber of Commerce.

**S.R. 406** - By Doggett: Extending welcome to Genny Van Cleve, Honorary Page for the Day.

**S.R. 407** - By Sharp: Extending welcome to Jillian J. Madonna Villa.

**S.R. 408** - By Sharp: Extending welcome to Dr. Irwin Kurtz, Capitol Physician for the Day.

**S.R. 409** - By Leedom: Extending welcome to Tana Renee Tarr.

**S.R. 410** - By Leedom: Extending welcome to Mark Stephen Filipek.

**S.R. 411** - By Leedom: Extending welcome to Michelle Lee Tarr.

**S.R. 415** - By Caperton: Commending Frank Gostecnik for his contributions to his community.

**S.R. 416** - By Howard: Extending congratulations to Hearol Earl Markham.

#### **ADJOURNMENT**

On motion of Senator Brooks, the Senate at 12:23 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

#### **APPENDIX**

Signed by Governor  
(March 30, 1983)

**H.C.R. 55**

**H.C.R. 96**

**H.C.R. 125**

**H.C.R. 128**

**H.C.R. 129**